IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

CONRAD E. PERKINS)
v.)) NO. 3-10-0289
UNITED STATES GOVERNMENT) JUDGE CAMPBELL)

ORDER

Pending before the Court are a Report and Recommendation of the Magistrate Judge (Docket No. 36) and Objections filed by the Plaintiff (Docket No.39).

Pursuant to 28 U.S.C. § 636(b(1), Fed. R. Civ. P. 72(b)(3) and Local Rule 72.03(b)(3), the Court has reviewed *de novo* the Report and Recommendation, the Objections, and the file. The Objections of the Plaintiff are overruled, and the Report and Recommendation is adopted and approved.

Accordingly, Defendant's Motion to Dismiss (Docket No. 28) is GRANTED, and this action is DISMISSED. The Court does not have jurisdiction to hear Plaintiff's claim. 28 U.S.C. § 2401(b). IT IS SO ORDERED.

TODD J. CAMPBELL

UNITED STATES DISTRICT JUDGE